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# Environmental Quality Council QNEWS

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Box 215, Capitol Station, Helena, MT 59601

Senator Elmer Flynn, Chairman

Fletcher E. Newby, Executive Director

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## ANOTHER LOOK AT SUBDIVISION REGULATIONS

The State Department of Health and Environmental Sciences (DHES) rule for approval of water and sewer facilities in subdivisions was approved by the Board of Health on November 4, 1973, but will be up for re-examination during January of 1974. Because of confusion over requirements of the Administrative Procedures Act regarding public hearing and because of adverse comments received following approval by the board, DHES has reactivated the committee for review of the rule and is soliciting comments, according to a recent letter from the Department's Water Quality Bureau.

The rule, a substantial revision of the preexisting subdivision rule, was drafted to respond to HB 465, one of the two major subdivision laws passed by the 1973 Legislature. HB 465 gives DHES broader regulatory authority over sanitary and environmental aspects of subdivisions, including control of solid waste and protection of water quality for agriculture, industry, recreation, and wildlife.

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The review committee, just reactivated and consisting of selected state and local health, planning, and environmental authorities, was formed early in 1973. At its first and only meeting so far, held May 30, 1973, the committee failed to reach a consensus regarding the content of the proposed rule. The rule was subsequently drawn up by DHES staff and adopted without the benefit of a public hearing. The next meeting of the committee is scheduled for February 5, 1974, in Helena.

Whether the rule will be changed and a public hearing held will depend largely on comments received before the next Board of Health meeting in January, according to a DHES official. Any proposed changes, additions or deletions should be presented in writing to DHES. Those wishing to obtain a copy of the proposed rule may do so by writing the Water Quality Bureau, Environmental Sciences Division, Department of Health and Environmental Sciences, Helena, MT 59601.

#### BRIDGER PINES EIS REVIEW EXTENDED

According to a letter from the Department of Health and Environmental Sciences (DHES) dated December 24, 1973, the department has granted upon request a 15-day extension of the comment period on the draft environmental impact statement (EIS) for the Bridger Pines Subdivision in Gallatin County. (The 15-day extension is a provision of the "Revised Guidelines for Environmental Impact Statements" prepared by EQC.)

Bridger pines (see EQC NEWS Vol. 1, No. 10, December 14, 1973) attracted considerable attention last summer when it was learned that the developer was erecting housing units before removal of sanitary restrictions and without approval from DHES. According to the EIS on the project, sewage

produced by residents of the subdivision will be hauled by tank truck to a remote site where it will be given lagoon treatment. A satisfactory disposal site apparently does not exist near the subdivision.

Comments on the EIS should be addressed to Mr. Daniel Vichorek, Technical Writer, Environmental Sciences Division, Department of Health and Environmental Sciences, Helena, MT 59601.

#### SECOND ANNUAL REPORT AVAILABLE

The Second Annual Report of the Environmental Quality Council is now available for distribution to interested organizations and individuals. The report focuses on the current EQC land use and energy policy studies. In addition to overview papers on these studies the report covers recent activities in Montana coal and water development, underground natural resources, saline seep, and land disposal of wastewater. Other sections deal with environmental efforts of the 1973 Legislature, citizens and environmental quality, the Arbiter process of copper reduction, a review of state agency programs and activities, and EQC legislative and program recommendations. Single copies may be obtained by writing to the Environmental Quality Council, Capitol Station, Helena, MT 59601. A limited supply of the EQC First Annual Report is also available.

#### NEW ENVIRONMENTAL IMPACT STATEMENTS

| <u>STATE</u>         |                                                                                                   |                           |   |
|----------------------|---------------------------------------------------------------------------------------------------|---------------------------|---|
| <u>Date Received</u> | <u>Subject</u>                                                                                    | <u>Originating Agency</u> |   |
| 12-14-73             | Sarpy Creek Mine proposed by Westmoreland Resources in Big Horn Co. Request for a permit to mine. | St. Lands                 | F |
| 12-19-73             | Cliff Mann Subdivision in Gallatin Co. adjacent to West Gallatin River. 1.3 acres.                | DHES                      | N |

STATE

| <u>Date Received</u>     | <u>Subject</u>                                                                                                                    | <u>Originating Agency</u> |   |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------|---|
| 12-24-73                 | Amy's Little Acres Subdivision on Flathead Lake shoreline in Flathead Co. 3.67 acres.                                             | DHES                      | N |
| 12-24-73                 | Relesalle Subdivision near Evergreen in Flathead Co. 3.89 acres.                                                                  | DHES                      | N |
| 12-24-73                 | Teakettle Subdivision near Coram in Flathead Co. 7.5 acres.                                                                       | DHES                      | N |
| 12-24-73                 | Ptarmigan Subdivision No. 3 near Whitefish in Flathead Co. 520 acres.                                                             | DHES                      | N |
| 12-28-73                 | Planned Unit Development for Beartooth Mountain Estates in Carbon Co. 71.7 acres.                                                 | DHES                      | N |
| 12-31-73                 | Installation of a drain irrigation pipe to replace or supplement the inadequate pipe in place 3 mi. south of Belfry in Carbon Co. | Hwys                      | N |
| D - Draft statement      | St. Lands - Department of State Lands                                                                                             |                           |   |
| EW - Emergency Waiver    | Hwys - Department of Highways                                                                                                     |                           |   |
| F - Final Statement      | DHES - Dept. of Health & Environmental Sciences                                                                                   |                           |   |
| N - Negative Declaration |                                                                                                                                   |                           |   |

NOTE: Copies of impact statements may be obtained by writing to the originating agencies



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